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May 10, 2006

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By Electronic Case Filing

The Honorable Gregory M. Sleet
United States District Judge
United States District Court
District of Delaware
J. Caleb Boggs Federal Bldg.
844 North King Street
Wilmington, DE 19801-3519

Re: Reinbold v. NALC Branch 1977, Case No. 04-342 (D. Del.)
Reinbold v. USPS and Branch 191, Case No. 05-047 (D. Del.)

Dear Judge Sleet:

As you know, this firm represents the National Association of Letter Carriers, Branch 1977 and Branch 191 (the "Union Defendants") in the above-captioned actions. I write in response to Plaintiff Brian K. Reinbold's letter dated April 16, 2006 (filed with the Court on April 26, 2006) in which Plaintiff, who is proceeding *pro se*, requests appointment of counsel. I also submit this letter in further support of the United States Postal Service's ("USPS") Opposition to Plaintiff's Motion for Reconsideration.

On April 10, 2006 this Court granted the Postal Service's motion for summary judgment, finding that the Union Defendants had not breached the duty of fair representation. Thereafter, on April 21, 2006, the Union Defendants filed a motion for summary judgment which is currently pending before this Court.

In his April 26, 2006 filing, Plaintiff avers that he "has tried to work with the defendants in this case with no avail They [*sic*] will not answer my letters or requests" This statement is completely false. The Union Defendants have not received any letters or discovery

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requests from Plaintiff, nor had the Union Defendants received any correspondence from Plaintiff before the correspondence dated April 16, 2006. Moreover, despite Plaintiff's insistence that he mailed responses to the Union Defendants' discovery requests, the Union Defendants never received responses to discovery requests propounded to Plaintiff in June 2005. As noted in the Union Defendants' reply to Plaintiff's opposition to their motion to dismiss, the certified mail receipt Plaintiff relies upon as proof that he answered the requests shows postage paid of \$.37, just as with the empty envelopes Plaintiff mailed to counsel for the USPS. *See* Docket No. 27, p. 3.

Accordingly, the Union Defendants respectfully request that Plaintiff's extraordinarily late request for the appointment of counsel be denied.

Thank you for your consideration.

Respectfully submitted,

/s/ Oriana Vigliotti
Oriana Vigliotti

OV:sl

cc: Brian Reinbold
Patricia Hannigan, Esq.
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